

**NYS Department of State
Division of Administrative Rules**

Printing and Distribution of the NYCRR and State Register

Request for Applications # 18-ADM-11

Questions & Answers

The responses to questions included herein are the official responses by the State to questions submitted by potential applicants and are hereby incorporated into RFP # 18-ADM-11 issued on April 2, 2019. In the event of any conflict between the RFP and these responses, the requirements or information contained in these responses will prevail.

Q1. 2.2.9 Develop a Disaster Recovery System (page 22). We have a disaster recovery system in place in support of the current NYCRR contract. However, the new solicitation introduces new timing/downtime requirements that exceed what our current recovery system can support. To implement a new system that is sufficient to support the requirements of the new solicitation would result in significant costs that may negatively impact our ability to provide a cost-effective response to this solicitation. Can DOS please clarify whether DOS is requiring a more robust disaster recovery plan than is currently in place to support the current contract?

A1. Proposers must submit the organization's Disaster Recovery Plan which demonstrates efforts to mitigate service interruption. The Plan should describe the organization's capacity to plan and implement disaster recovery efforts, which will serve to inform DOS of the organization's ability to restore operations in a reasonable amount of time and to notify DOS of service interruption.

Q2. 3.6.3.D Install and Maintain a Content Management System (page 31). Subpart 5 indicates the following new requirement: "Services which directly or indirectly access data may only be performed from locations within CONUS". We employ a global technology support operation that includes team members that support the systems used in the performance of the current NYCRR contract. These individuals are central to providing maintenance work on the applicable systems, including feature enhancements and bug fixes. For them to do their job in an efficient and timely manner, they need to have access to data for testing purposes. This new requirement, if mandatory, would result in significant process changes that may negatively impact our ability to provide a cost-effective response to this solicitation. Can DOS please clarify whether this new requirement is mandatory?

A2. The RFP language is standard New York State language. The requirement, which indicates that services directly or indirectly accessing data may only be performed from locations within the continental United States, pertains to confidential data. The project included in this procurement does not currently include any access to confidential data, nor does it anticipate accessing confidential data in the future. The contractor shall ensure that applicable security requirements are established and maintained for the protection of all data that the contractor, its officers, agents, employees, and subcontractors become aware of while performing services pursuant to the contract

Q3. 2.22 Produce Annotations, Master Index and a Table of Current Pages for the Official NYCRR (page 11). The solicitation indicates that Annotations “shall be amended by the Contractor at least twice each calendar year”. Will DOS allow Annotations to be updated once each calendar year?

A3. Upon review, DOS will allow annotations to be updated once each calendar year.

Q4. 2.2.8 Provide an Unofficial Electronic Version of the NYCRR and Register Online at No Cost to the General Public (page 21). Subpart 1 lists the following requirement: “search and retrieval by title, section, part, page or any combination thereof”. Can DOS please clarify what is meant by search and retrieval by page?

A4. Upon review, DOS has determined that “retrieval by page” is not a mandatory requirement. Search and retrieval by title, section, and part or any combination thereof is a mandatory requirement.

Q5. 3.5 Administrative Proposal (page 27). The solicitation states that the Administrative Proposal will include “three principal components” and then lists out four components. Can DOS please confirm this proposer’s understanding that the Administrative Proposal should address the four components listed in the solicitation (i.e., sections 3.5.1 – 3.5.4)?

A5. Correct, the Administrative Proposal should address the four components listed in the solicitation in Sections 3.5.1 – 3.5.4

Q6. 3.5.3.(1) Financial Information (page 27). The solicitation states that proposers must provide their “three most recent independently audited annual financial statements”. Audited financial statements can be more than 100 pages in length. To reduce the amount of paper used in proposal responses, would it suffice to provide these audited financial statements in an electronic version only (e.g., CD-ROM)?

A6. Yes, financial statements may be provided in electronic format including CD-ROM or USB.

Q7. 4.2.1 Review Administrative Proposals (page 38). The solicitation indicates that the evaluation of the Administrative Proposal will consist of the Formal Offer Letter, Financial Viability, and Required Forms. Can you confirm this proposer’s understanding that the evaluation of the Administrative Proposal will also include Canceled or Failed Implementations (3.5.2)?

A7. Correct, the evaluation of the Administrative Proposal will include a review of responses to Sections 3.5.1 – 3.5.4 including Canceled or Failed Implementations in Section 3.5.2.